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By: \_\_\_\_\_

Gina M. Simon



PATENT

Customer Number 22,852

Attorney Docket No. 07414.0107-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ernest FRIEDLANDER et al.

Application No.: 10/665,916

Filed: September 18, 2003

For: FRAGMENTATION OF DNA

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Group Art Unit: 1651

Examiner: Not Yet Assigned

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Each document listed on the attached Form PTO 1449 was cited in a communication mailed May 25, 2004, in a counterpart Patent Cooperation Treaty application. A copy of that communication is enclosed.

According to a notice published in the Official Gazette on August 5, 2003, the U.S. Patent and Trademark Office waives the requirement under 37 C.F.R. 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each cited U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003. Accordingly, copies of the U.S. patent and U.S. patent application publications listed on the attached Form PTO 1449 are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please  
charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 22, 2004

By: *Danielle Pasqualone*  
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Patent  
7414.0107-00000

**INFORMATION DISCLOSURE CITATION**  
(Sheet 1 of 1)

Atty. Docket No. 07414.0107-00000				Serial No. 10/665,916			
Applicant Ernest J. Friedlander et al.							
Filing Date September 18, 2003				Group: 1651			
<b>U.S PATENT DOCUMENTS</b>							
Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
		US 2003/0087278 A1	05/08/2003	Sayers et al.			
		US 2003/0113705 A1	06/19/2003	McMillian			
		US 5,766,852	06/16/1998	Down et al.			
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
		PCT International Search Report for International Application No. PCT/US03/29252, mailed May 25, 2004 (6 pages).					
Examiner				Date Considered			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							
Form PTO 1449				Patent and Trademark Office - U.S. Department of Commerce			